



Matthew F. Carlucci
Chair

Michelle Anchors
Vice Chair

Daniel Brady, Ph.D.

Matthew J. Carson

Michael Cox

Tom Freeman

Guy W. Norris

Kimberly Bonder Rezanka

Stanley M. Weston

State of Florida
COMMISSION ON ETHICS
P.O. Drawer 15709
Tallahassee, Florida 32317-5709

325 John Knox Road
Building E, Suite 200
Tallahassee, Florida 32303

Virlindia Doss
Executive Director

C. Christopher Anderson, III
*General Counsel/
Deputy Executive Director*

(850) 488-7864 Phone
(850) 488-3077 (FAX)
www.ethics.state.fl.us

"A Public Office is a Public Trust"

PRESS RELEASE

For Immediate Release
October 26, 2016

CONTACT PERSON:

Virlindia Doss or
Kerrie J. Stillman
850.488.7864

May be accessed on the Internet at www.ethics.state.fl.us

TALLAHASSEE—October 26, 2016— Meeting in Tallahassee on October 21st in closed session, the Florida Commission on Ethics took action on 17 complaints, Chairman Matthew F. Carlucci announced today. A finding of probable cause is not a determination that a violation has occurred. Such a determination is made only after a full evidentiary hearing on the allegations.

The Commission rejected the recommendation of its Advocate and found no probable cause to believe that **JOSEPH BATTE**, Marco Island City Councilmember, corruptly misused his position and relationship with the Chief of Police to address a parking citation he received for illegally parking his vehicles. No probable cause was found to believe that he misused his position to direct City employees to enhance property located near his personal residence or used public resources to make

improvements to his property. An allegation that he misused his position and resources within his trust to direct police enforcement actions also was dismissed with a finding of no probable cause.

The Commission found no probable cause on seven allegations concerning Marco Island City Councilmember **LAURENCE SACHER**. The allegations were that he solicited or accepted a lunch invitation or hotel discount coupon based on an understanding that his official action would be influenced; that he accepted those items when he knew or should have known they were given to influence him in an official action in which he was expected to participate; that he misused his position to benefit the entity that provided him with those discounts; that he used or disclosed information not available to the general public that was gained because of his position, in order to benefit a person or entity; that he solicited a gift from a vendor or lobbyist of the City; that he accepted a gift valued at more than \$100 from a lobbyist or vendor of the City; and that he failed to report a gift valued at more than \$100 that was given by someone other than a lobbyist or vendor of the City.

No probable cause was found to believe that lobbyists **CHRIS CARMODY**, **ROBERT STUART, JR.**, and **CHRIS DAWSON** accepted public funds for lobbying on behalf of the University of Central Florida's Student Government Association in violation of the law prohibiting the use of state agency funds for lobbying.

The Commission found no probable cause to believe that **CHRISTINE MOORE**, Orange County School Board member, misused her position to intimidate or attempt to intimidate the parent of a child in her district to support a particular candidate in a municipal election, by threatening to reassign the child to a different school.

In a complaint filed against **DINA P. SWEATT**, Groveland Community Redevelopment Agency (CRA) Board member, the Commission found no probable cause to believe that Ms. Sweatt voted on a measure that inured to her special private gain or loss. An allegation that she participated in discussion on a measure that inured to her special private gain or loss also was dismissed with a finding of no probable cause.

The Commission rejected the recommendation of its Advocate and found no probable cause to believe that **CHERYL YOUNG**, Chief of Long Term Care & Support for the Department of Elder Affairs, willfully failed to file her 2014 Form 1 Statement of Financial Interests.

The Commission reviewed a number of complaints for legal sufficiency. These reviews are limited to questions of jurisdiction and determinations as to whether the contents of the complaint are adequate to allege a violation of the Code of Ethics or other laws within the Commission's jurisdiction. As no factual investigation precedes the reviews, the Commission's conclusions do not reflect on the accuracy of the allegations made in these complaints. The Commission dismissed the following complaints for lack of legal sufficiency: **RICH O'BRIEN** and **ANDREA SAMUELS**, St. Augustine Beach City Commissioners; **TODD DONOVAN JONES**, Candidate for Hillsborough County Property Appraiser; **AMY BETH BERNDT**, Assistant State Attorney, 5th Judicial Circuit; **JOHN BERGQUIST, JR.**, Mayor of Pomona Park; **CINDY HAIR**, Pomona Park Town Clerk; **MARCIA DEL REY**, Candidate for Circuit Court Judge, 11th Judicial Circuit; **DERRICK HENRY**, Mayor of Daytona Beach; and **FRANK**

HILE, member of the South Fork East Community Development District Board of Supervisors.

PUBLIC SESSION

The Commission voted in public session to adopt the Joint Stipulation between the Commission Advocate and Monroe County Commissioner **GEORGE NEUGENT**. The agreement stipulates that Mr. Neugent violated Florida's ethics laws by failing to report a gift of a country club membership valued at more than \$100; failing to properly disclose an asset on his 2012 Form 6 disclosure; and failing to properly disclose an asset on his 2013 Form 6 disclosure. A civil penalty totaling \$1,500 and public censure and reprimand will be recommended to the Governor for the violations.

The Commission adopted a formal opinion indicating that a public school teacher would be prohibited from simultaneous employment as a general counsel to a non-profit organization or as a sole practitioner where the employment or contract would include representation in lawsuits against the school board or district where she is employed as a teacher.

In another opinion adopted by the Commission, the former Chair of the Florida Commission on Offender Review (FCOR) would be prohibited from representing persons or entities for compensation before FCOR for two years after leaving public office. However, she would not be prohibited from representing persons or entities before the Governor, Cabinet, or the Legislature, as none of those were a government body or agency of which she was an officer or member.

Contact the Commission office to obtain rulings on appeals of automatic fines

imposed for late submission of financial disclosure reports submitted by public officers and employees. (See Item VI. on the October 21st meeting agenda posted on the Commission's website.)

The Florida Commission on Ethics is an independent nine-member commission formed in 1974 to review complaints filed under the statutory Code of Ethics and to answer questions from public officials about potential conflicts of interest through its issuance of advisory opinions.

If the Ethics Commission believes a violation of the law may have occurred, it may decide to hold a public hearing. If it concludes a violation has been committed, it may recommend civil penalties that include removal from office or employment and fines up to \$10,000 per violation.